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October 22, 2004

VIA FACSIMILE—(214) 665-6460

Ms. Barbara A. Nann, Assistant Regional Counsel
U.S. Environmental Protection Agency, Region 6
Office of Regional Counsel (6RC-S)
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733


Re: Gulfco Marine Maintenance Superfund Site in Freeport Texas (the "Site")

Dear Ms. Nann:

As you know, we represent The Dow Chemical Company ("Dow"). This letter confirms the telephone voice-mail message that I left you earlier this afternoon. As stated in my message, Dow desires to move forward in discussions with EPA regarding conducting the Remedial Investigation and Feasibility Study ("RI/FS") at the Site. We are still working to form a group to work with Dow. As I am sure you can appreciate, the issues regarding group formation are somewhat more complex than the average site due to the Site's unique redevelopment potential and the active ownership and management of a portion of the site. We remain committed to achieving a workable group agreement that supports the goal of site redevelopment.

We know, however, that EPA is anxious for a commitment from the parties to conduct the RI/FS. Please call me on Monday so we can schedule a meeting to discuss the approach to developing a scope of work and agreed order for the RI/FS. My telephone number is 512-469-6147. We would also like to discuss scheduling a meeting with Mr. Coleman to follow up on our recent letter to him regarding the Site's redevelopment opportunities. I look forward to talking with you on Monday.

Very truly yours,


James C. Morris III

cc: Sandi Van Wormer
Scott Magelssen

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